

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Aaron William Freeman,)	Case No. 120-cr-184
)	
Defendant.)	

Defendant is charged in a petition with violating his conditions of supervised release. (Doc. No. 240). On September 30, 2022, defendant made his initial appearance on the petition and was ordered detained pending a combined preliminary hearing and detention hearing on October 5, 2022. (Doc. Nos. 244, 247).

The court convened the preliminary hearing and detention hearing on October 5, 2022. (Doc. No. 250). Based on the evidence presented by the United States, the court concluded there was probable cause to believe that defendant had violated the conditions of his supervised release as alleged in the petition. (Doc. No. 251). With respect to the issue of detention, the court concluded that defendant had not met his evidentiary burden and demonstrated by clear and convincing evidence that he did not pose a risk of flight or a danger to the community. (Id.).

On October 19, 2022, defendant filed a “motion to review order of detention.” (Doc. No. 256). Therein he requested to be released on conditions to the Sober Living Lodge in Beulah, North Dakota with the understanding that he would participate in an outpatient treatment program at the Good Road Recovery Center in Twin Buttes, North Dakota. He also requested further hearing on this issue. (Doc. No. 257).

On November 2, 2022, the United States filed a response in opposition to defendant's motion. (Doc. No. 263). It asserts that release of defendant to a sober living facility is not a viable release option given the nature of defendant's alleged violations of his release conditions.

Having reviewed the record, the undersigned is presently disinclined to "reopen" the detention hearing and release defendant to a facility with less security and structure than the facility from which he allegedly terminated. Defendant's motion (Doc. No. 256) is therefore **DENIED**. Defendant's request for further hearing (Doc. No. 257) is deemed **MOOT**. Defendant may raise the issue of his struggles with substance abuse and his treatment options at his final revocation hearing presently scheduled before Judge Hovland on November 8, 2022.

IT IS SO ORDERED.

Dated this 3rd day of November, 2022.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court